

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL CASE NO. 5:21-cv-00097-MR**

<b>OSCAR PEREZ,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>FNU MORRISON,</b>	)	<b><u>ORDER</u></b>
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court sua sponte.

The pro se Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983 addressing incidents that allegedly occurred at the Alexander Correctional Institution. [Doc. 1]. On February 10, 2022, the Complaint passed initial review on claims of retaliation and due process violations. [Doc. 12]. The Plaintiff was granted 30 days to amend the Complaint. He was informed that, if he failed to do so, the matter would proceed solely on the claims identified in the Order on initial review. [Id.].

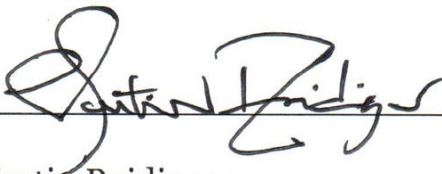
The time to amend has expired, and no Amended Complaint has been filed. Therefore, the matter will proceed solely on the claims identified in the Order on initial review. The Court's Local Rule 4.3 sets forth the procedure to waive service of process for current or former employees of the North

Carolina Department of Public Safety (NCDPS) in actions filed by North Carolina State prisoners. In light of the Court's determination that this case passes initial review, the Court will order the Clerk of Court to commence the procedure for waiver of service as set forth in Local Civil Rule 4.3 for Defendant Morrison, who is alleged to be a current or former employee of NCDPS.

**IT IS, THEREFORE, ORDERED** that the Clerk shall commence the procedure for waiver of service as set forth in Local Civil Rule 4.3 for Defendant Morrison, who is alleged to be a current or former employee of NCDPS.

**IT IS SO ORDERED.**

Signed: March 22, 2022

  
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Martin Reidinger  
Chief United States District Judge

